



National Organization for Women Michigan Conference

Post Office Box 18063
Lansing, Michigan 48901

**Testimony of Renee E. Beeker
Legislative Vice President
Michigan Conference, National Organization for Women
MI NOW**

**Submitted to the House Judiciary Committee
Hearing on Coercive Abortion Prevention Act Bills 5879- 5883
May 10, 2006**

My name is Renee Beeker. I am the Legislative Vice President for the Michigan Conference of the National Organization for Women. NOW is the oldest and largest feminist activist organization in the United States, advocating for women's equal rights, of which Michigan has more than 5000 members and supporters. I would like to thank the Committee and Representative Van Regenmorter for the opportunity to voice our concerns here today.

Michigan NOW is opposed to House Bills 5879-5883 that make up the Coercive Abortion Prevention Act.

Michigan NOW is certain that women suffer varying degrees of coercion in many areas of their lives and believes protection of women, especially pregnant women, is an extremely important issue. However, while we know the committee is concerned for the protection of women, we believe the proposed bills would pose more road blocks, and even possible danger, to a victim woman.

The portions of these bills that add an additional 24 hour wait pose additional restrictions to women who are choosing to terminate a pregnancy. We must *trust* women and their decisions instead of posing more waiting periods and interviews.

While I have had women share with me stories of the men in their life suggesting they abort a pregnancy, it is much more likely that a woman is coerced *into* a pregnancy. A batterer's goal is to maintain control of their victim and this is most often successful by using the children as leverage.

Michigan NOW is very concerned for women who continue pregnancy then go on to lose custody of the children to men who are abusive. These batterers continue intimidation of these women by using the children as means to control their victim. The number one call to Michigan NOW is from women survivors who have lost custody or are about to lose custody to an identified or known abuser or an abuser who has been convicted of abuse.

Women in situations of abuse are often fearful, and intimidated by the judicial system. Batterers exercise control over nearly all aspects of a victim's life and generally convince them that no one

NOW's purpose is to take action to bring women into full partnership in the mainstream of American society NOW, exercising all privileges and responsibilities thereof in truly equal partnership with men.

will listen and that they will lose. They also exercise control over the victim's access to financial resources, thus making the civil remedy that the bill package proposes a difficult option for victims to utilize.

Efforts to protect victims of coercion and or abuse should provide LESS impact on the victim, not more. The proposed remedy in this package of bills causes the victim to have more hurdles to climb over and places the burden of remedy on the victim's shoulders. Proving coercion under these circumstances would be difficult at best.

The vast majority of battered women who feel "coerced" to consider or have an abortion, are forced to consider this option not because of threats from the batterer, but because child custody laws do not adequately protect battered women and their children.

Women deserve a violence free life for their children and selves. Most often the victim stays with the abuser due to threats from the abuser. She often believes that this is the best method, from her perspective, to keep herself and her children safe. The best protections for women should provide for REAL protection for her and her children from the batterer.

Thank you.

Reference Notes
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1. A summary of these studies is contained in Jaffe et al, "Access Denied: The Barriers of Violence and Poverty for Abused Women and their Children after Separation", available through the Centre for Children and Families in the Justice System. Summary or Full version of their study can be obtained by contacting the Centre at 519-679-7250.
2. The American Psychological Association's Presidential Task Force on Violence in the Family Report states that Men who abuse their partners contest custody at least twice as often as non-abusing fathers. They are even more likely to dispute custody if there are sons. The report is available from the APA and this reference is at page 40.
3. "Children in the Crossfire: Child Custody Determinations Among Couples with a History of intimate Partner Violence" Mary A. Kernic, Daphne J. Monary-Ernsdorff, Jennifer K Koespell, and Victora Lo. Hold pages 991-102 Journal Violence Against Women August 2005 Sage. Call 800-818-SAGE.
4. Massachusetts Supreme Judicial Court's Gender Bias Task Force found that more then 70% of fathers received sole or joint custody regardless of whether there was history of abuse.
5. Wellesley Battered Mothers' Testimony Project found that 21 out of 39 cases resulted in custody to the fathers all of whom had abused the children and the mothers. Report is available from the Wellesley Centers for Women.
6. Jay Silverman "Child Custody Determinations in Custody Cases involving Intimate Partner Violence: A Human Rights Analysis" June 2004, Vol. 94, no.6, American Journal of Public Health, p, 953.
7. The Violence Against Women Special Journal Issue on Child Custody and Domestic Violence. Reporting the findings of four studies involving nine states. The research validate courts fail to protect women and children when abuse is factor in custody or visitation issues. Available through Sage call 800-818-SAGE or fax 805-499-0871.
8. Renee Beeker "The Illusion of Protection Uncovered: Review of the Special Journal Issue on Child Custody and Domestic Violence" Domestic Violence Report Vol. 11, No.3 ISSN 1086-1270 pages 35, 36, 44.

